

RADER,**FISHMAN****& GRAUER****PLLC**

*Worldwide Intellectual Property Matters • Patents • Trademarks
Litigation • Copyrights • U.S. and Foreign Portfolio Management
Computer and Internet Law • Trade Secrets • Unfair Competition*

**RECEIVED
CENTRAL FAX CENTER
JUL 05 2005**

To: USPTO**From: Jennifer B. McDonald****Fax: 703-872-9306****Pages: 26 + Coversheet****Phone:****Date: July 5, 2005****Re: Serial No.: 10/700,714****cc:**

☐ Urgent ☒ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable laws. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return original message to us at the above address via U.S. Postal Service.
Thank you.

• 10653 S. River Front Pkwy., Suite 150, South Jordan, UT 84095 Tel: (801) 572-0185 Fax: (801) 572-7666 •
www.raderfishman.com

Salt Lake City

Bloomfield Hills

Washington, D.C.

Denver

RFG UTAH **RECEIVED**
CENTRAL FAX CENTER
JUL 05 2005PTO/SB/87 (08-00)
Approved for use through 10/31/2002. OMB 0651-0031
U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

Attorney Docket No.: 40059-0010

Serial No.: 10/700,714

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the central fax number 703-872-9306 at the United States Patent and Trademark Office. **Please forward a copy of this resubmission on to examiner Robert M. FETSUGA in Group Art Unit 3751.**

on July 5, 2005
Date

Jennifer B. McDonald
Signature

Jennifer B. McDonald

Typed or printed name of person signing Certificate

Transmitted, herewith, are the following documents:

1. Response for Resubmitting Amendment (2 pages)
2. Resubmission of Response/Amendment (22 pages).
Including: Transmittal, Duplicate copy of Transmittal, Response, and Replacement Drawings
3. Return Receipt Postcard Stamped by the USPTO (1 page).

Please forward a copy of this resubmission on to examiner Robert M. FETSUGA in Group Art Unit 3751.

RECEIVED RFG UTAH
CENTRAL FAX CENTER
JUL 05 2005Serial No. 10/700,714
Attorney Docket No. 40059-0010**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**In re Patent Application:
Lanny R. Smith

Serial No.: 10/700,714

Filed: 11/03/2003

For: APPARATUS AND METHODS FOR
FORMING DECK EDGING FOR
SWIMMING POOLS

Confirmation No. 6022

Group Art Unit: 3751

Examiner: FETSUGA, ROBERT M.

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE FOR RESUBMISSION OF AMENDMENT PAPERS

A response to the Office Communication dated April 22, 2005 and the Office Action dated October 4, 2004 was timely filed on May 16, 2005. The returned postcard was received indicating acknowledgment of receipt of the filed response by the Patent Office on May 18, 2005. A copy of the filed response and returned postcard are enclosed for your reference. Unfortunately, the above-referenced response was incorrectly scanned at the Patent Office under a different application number and therefore was never properly docketed into the correct application no.: 10/700,714. The scanning error was discovered by the examiner assigned to a different application number under which the enclosed response was mistakenly docketed. We therefore request that the enclosed response be resubmitted as was originally filed on May 16, 2005 under serial no.: 10/700,714 and a copy sent to Examiner Robert M. Fetsuga for further review.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to:
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450
on this 5 day of July, 2005.

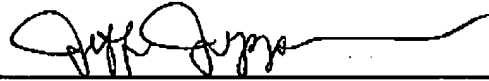
Signed: Jennifer B. McDonaldDated: 7/5/05

Serial No. 10/700,714
Attorney Docket No. 40059-0010

No fees are believed to be due in connection with the resubmission of this Amendment. However, if any additional fees are required in connection with the filing of this paper, permission is given to charge our Deposit Account No. 18-0013, under Order No. 40059-0010.

Respectfully Submitted,

By



Jeffrey R. Jeppsen
Reg. No. 53,072
Rader, Fishman & Grauer, PLLC
RiverPark Corporate Center One
10653 S. River Front Parkway, Suite 150
South Jordan, UT 84095
(801) 572-0185

Date: July 5, 2005